



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2015-0096

Issued Date: 08/04/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 8.100 (1) Using Force: When Authorized (Policy that was issued 01/01/14)
OPA Finding	Not Sustained (Lawful & Proper)
Final Discipline	N/A

INCIDENT SYNOPSIS

The named employee was working patrol and saw a man acting erratically and followed him into a building to observe his behavior. The building security officer also noticed the man and observed his behavior as well. The man was told that he had to leave the building and was uncooperative, threatening and verbally abusive toward the named employee.

COMPLAINT

The complainant alleged that the named employee pushed a man down an escalator for no apparent reason.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint email
2. Interview of the complainant
3. Search for and review of all relevant records and other evidence
4. Review of In-Car Videos
5. Interview of witness
6. Interviews of SPD employees

ANALYSIS AND CONCLUSION

An officer shall use only the force reasonable, necessary, and proportionate to effectively bring an incident or person under control, while protecting the lives of the officer or others. The evidence shows that the subject was likely in crisis when the named employee observed his behavior. There were no criminal law violations committed by the subject but building security asked the subject to leave. The named employee followed the subject down the escalator. The subject turned to face the name employee twice. The second time, the named employee put his hands up to keep the subject from coming into close contact with him. Witnesses interviewed who saw the physical contact between the subject and the named employee all state that the subject did not fall as a result of the contact. No one reported that the subject was injured. The subject left the building.

FINDINGS

Named Employee #1

Allegation #1

The weight of the evidence showed that the named employee used reasonable and proportionate force to prevent the subject from coming closer to him. Therefore a finding of **Not Sustained** (Lawful and Proper) was issued for *Using Force: When Authorized*.

NOTE: The Seattle Police Department Manual policies cited for the allegation(s) made for this OPA Investigation are policies that were in effect during the time of the incident. The issued date of the policy is listed.